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PART I
GOVERNMENT OF PUNJAB
DEPARTMENT OF LEGAL AND LEGISLATIVE AFFAIRS, PUNJAB
NOTIFICATION

The 1st April, 2021

No. 7-Leg./2021.- The following Act of the Legislature of the State of Punjab received the assent of the Governor of Punjab on the 24th day of March, 2021, is hereby published for general information:-

THE PUNJAB EXCISE (AMENDMENT) ACT, 2021
(Punjab Act No. 7 of 2021)

AN

ACT

further to amend the Punjab Excise Act, 1914.

BE it enacted by the Legislature of the State of Punjab in the Seventy-second Year of the Republic of India as follows:-

1. (1) This Act may be called the Punjab Excise (Amendment) Act, 2021. Short title and commencement.
(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.
2. In the Punjab Excise Act, 1914 (hereinafter referred to as the principal Act), in section 61, in sub-section (1),- Amendment in section 61 of Punjab Act 1 of 1914.
 - (i) after clause (c) and before the proviso, for the words “three years”, the words “five years” shall be substituted; and
 - (ii) in the proviso, in item (v), for the words and sign “ten cases i.e. Ninety”, the words and sign “twenty-seven” shall be substituted.
3. In the principal Act, after section 61, the following section shall be inserted, Insertion of new section 61-A in Punjab Act 1 of 1914.

namely:-

“61-A	(1). Whoever mixes or permits to be mixed with any liquor sold or manufactured or possessed by him any noxious drug or any foreign ingredient likely to cause disability or grievous hurt or death to human beings, shall be punishable –
Penalty for mixing or permitting to mix with liquor any noxious drug.	

 - (a) if as a result of such an act, death is caused, with death or imprisonment for life and shall also be liable to fine which may extend to twenty lakh rupees;
 - (b) if as a result of such an act, disability or grievous hurt is caused, with imprisonment for a term which shall not be less than six years but which may extend to imprisonment for life and with fine which may extend to ten lakh rupees;

- (c) if as a result of such an act, any other consequential injury is caused to any person, with imprisonment for a term which may extend to one year and with fine which may extend to five lakh rupees; and
- (d) if as a result of such an act, no injury is caused, with imprisonment which may extend to six months and with fine which may extend to two lakh and fifty thousand rupees.

Explanation.- For the purpose of this section, the expression “grievous hurt” shall have the same meaning as in section 320 of the Indian Penal Code, 1860.

- (2) (i) Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), the court, when passing an order under this Act, if it is satisfied that death or injury has been caused to any person due to consumption of liquor sold in any place, order the manufacturer and seller, whether or not he is convicted of an offence, to pay, by way of compensation, an amount not less than five lakh rupees to the legal representatives of each deceased or three lakh rupees to the person to whom grievous hurt has been caused, or fifty thousand rupees to the person for any other consequential injury:

Provided that where the liquor is sold in a licensed shop, the liability to pay the compensation under this section shall be on the licensee;

- (ii) Any person aggrieved by an order under clause (i) may, prefer an appeal to the High Court within a period of ninety days from the date of receipt of certified copy of order:

Provided that no appeal can be filled by the accused unless the amount ordered to be paid under clause (i) is deposited by him in the court:

Provided further that the High Court may entertain appeal after the expiry of the said period of ninety days if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal in time.”

- 4. In the principal Act, in section 63, for the words “one year” and “one thousand”, the words “three years” and “ten thousand” shall respectively be substituted.

Amendment
in section
63 of Punjab
Act 1 of 1914.

S.K. AGGARWAL,

Secretary to Government of Punjab,
Department of Legal and Legislative Affairs.

PART I

GOVERNMENT OF PUNJAB

DEPARTMENT OF LEGAL AND LEGISLATIVE AFFAIRS, PUNJAB

NOTIFICATION

The 1st April, 2021

No. 8-Leg./2021.- The following Act of the Legislature of the State of Punjab received the assent of the Governor of Punjab on the 26th day of March, 2021, is hereby published for general information:-

THE PUNJAB ABADI DEH (RECORD OF RIGHTS) ACT, 2021

(Punjab Act No. 8 of 2021)

AN

ACT

to provide for recording and resolving of proprietary rights of abadi deh area in the revenue estates and for matters connected therewith or incidental thereto.

WHEREAS, the *abadi deh* area in Punjab has remained without recording of rights of the proprietors, preparation of record, or the marking of boundaries by carrying out a survey. This has over the years resulted in disputes about demarcation of boundaries and identification of rights in the dwelling and other areas; besides causing hardship in the effective transfer of rights;

WHEREAS, the object of this Act is to identify, record and resolve the existing rights of the proprietors within the *abadi deh* by a process of ascertaining the person(s) best entitled to be recorded as proprietor; besides, demarcating, delineating the boundaries and areas of each survey unit. It is to create a presumption of truth in the records so prepared.

WHEREAS, the preparation of this record would provide for development of the *abadi deh* that preserves the heritage of the village to the extent possible, provide and upgrade civic services and environment in villages to integrate them with planned urban development, enhance the land value by improving the lay out and provide a road map for development norms for villages in an easy and simple manner.

BE it enacted by the Legislature of the State of Punjab in the Seventy-second year of the Republic of India, as follows: -

CHAPTER 1

PRELIMINARY

- | | | | |
|--|----|-----|---|
| Short title,
extent and
commence-
ment. | 1. | (1) | This Act may be called the Punjab <i>Abadi deh</i> (Record of Rights) Act, 2021. |
| | | (2) | It extends to the whole of the State of Punjab. |
| | | (3) | It shall come into force with immediate effect: |
| | | | Provided that it shall come into effect for the <i>abadi deh</i> area falling within the limits of a municipal area on the date as may be notified in this regard. |
| Definitions. | 2. | | In this Act, unless the context otherwise requires, - |
| | | (a) | “ <i>Abadi deh</i> ” means the site recorded as such in the Record of Rights prepared and maintained under the Revenue Act, which is not assessed to land revenue and includes such land in a municipal area; |
| | | (b) | “Appointed day” means the first day of January, 2021; |
| | | (c) | “Assistant Recording and Resolution Officer” means a Revenue Officer not below the rank of Naib-Tehsildar under the Revenue Act or the Executive Officer of the municipal body notified to perform functions under this Act; |
| | | (d) | “Chief Recording and Resolution Officer” means the Collector of the district under the Revenue Act, notified to perform functions under this Act; |
| | | (e) | “Commissioner” means the Commissioner of the division under the Revenue Act, notified to perform functions under this Act; |
| | | (f) | “Common area” means an area or building within the <i>abadi deh</i> used for any common need, convenience or benefit of the community and includes roads, paths, streets, public parks, drains, public toilets, ponds and tanks, wells, water courses, play grounds, bus stand or waiting places, places used for |

public sittings and gatherings or for any such other purposes used by the inhabitants, and any vacant site or plot not owned by any person; but does not include a building or area which houses an institution under the control of the Central or State Government;

- (g) “Financial Commissioner” means the Financial Commissioner, Revenue in the Government notified to perform the functions under this Act;
- (h) “Government” means the Government of Punjab in the Department of Revenue, Rehabilitation and Disaster Management;
- (i) “Municipal body” means a body constituted under the Punjab Municipal Corporation Act, 1976 (Punjab Act No. 42 of 1976) or the Punjab Municipal Act, 1911 (Punjab Act No. 3 of 1911);
- (j) “Notification or notified” means a notification published by the Government in the Official Gazette;
- (k) “Panchayat” means a Gram Panchayat constituted under the Punjab Panchayati Raj Act, 1994 (Punjab Act No. 9 of 1994);
- (l) “Prescribed” means prescribed by rules made under this Act;
- (m) “Proprietary right” means the right of ownership recorded in the name of a person, panchayat, municipal body, Central or State Government, juristic person or any other entity but does not include the rights of a tenant, lessee, mortgagee or any other right which does not confer ownership;
- (n) “Recording and Resolution Officer” means a revenue officer not below the rank of Sub-Divisional Magistrate notified to perform functions under this Act;
- (o) “Revenue Act” means the Punjab Land Revenue Act, 1887 (Punjab Act No. XVII of 1887);
- (p) “Revenue Officer” means a revenue officer exercising the powers under the Revenue Act;

- (q) “Survey Officer” means an officer appointed by the Government to act and perform functions under this Act;
- (r) “Survey unit” means the area within the *abadi deh*, to which a survey number is assigned under this Act;
- (s) “Village Committee” means the committee nominated in the village or municipal area, as the case may be, by the Assistant Recording and Resolution Officer, with its composition as prescribed to identify the ownership of survey units and common areas set apart for common purposes within the *abadi deh*; and
- (t) Words and expressions used in this Act but not defined herein, have the meanings assigned to them under the Revenue Act.

CHAPTER II

OFFICERS AND POWERS

- Officers. 3. (1) Subject to the provisions of this Act, there shall be the following officers notified to perform the functions and exercise powers under this Act, namely: -
- (a) Financial Commissioner;
 - (b) Commissioner;
 - (c) Chief Recording and Resolution Officer;
 - (d) Recording and Resolution Officer;
 - (e) Assistant Recording and Resolution Officer; and
 - (f) Survey Officer.
- (2) Subject to the provision of this Act, the officers mentioned in clauses (b), (c), (d) and (e) of sub-section (1) shall have, for the purposes of discharging their functions under this Act, the same powers as are vested in a civil court under the Code of Civil Procedure, 1908, in respect of the following matters, namely: -
- (i) the summoning and enforcing the attendance of any person and examining him;

-
- (ii) requiring the discovery and production of documents;
 - (iii) receiving evidence on affidavit;
 - (iv) subject to the provisions of sections 123 and 124 of the Indian Evidence Act, 1872, requisitioning any public record or document or copy of such record or document from any office; and
 - (v) issuing commissions for the examination of witnesses or documents.

4. (1) The superintendence and control over all officers in their administrative functioning under this Act shall vest in the Financial Commissioner, and all such officers shall be subordinate to him. Superintendence and control of Officers.

(2) Subject to the superintendence and control of the Financial Commissioner, the Chief Recording and Resolution Officer shall control all other officers under this Act, in his district.

(3) Subject as aforesaid and to the control of the Chief Recording and Resolution Officer, the Recording and Resolution Officer shall control all other officers under this Act, in his sub-division.

CHAPTER III

SURVEY, MAPPING AND IDENTIFICATION

5. The Government may, by notification, specify any *abadi deh* in a district, sub-division of a district, municipal area or a village as an area for the purpose of identifying, recording and resolving the rights in each survey unit. Identification of abadi deh area.

6. (1) The Government shall appoint a Survey Officer for each area notified under section 5 to conduct a survey in the manner as may be prescribed. Survey and mapping.

(2) The Government, upon notifying areas of which the standing record of rights within an *abadi deh* is to be prepared, shall itself or through a notified agency get a survey conducted and mapping done of such area to determine the boundary of the *abadi deh*, define the area and dimensions of each survey unit, and assign a unique survey number to each such unit.

(3) The survey reports and maps prepared of the area shall be submitted to the Assistant Recording and Resolution Officer for the purpose of preparing the standing record of rights in the survey units.

CHAPTER IV**STANDING RECORD OF RIGHTS AND ITS MAKING**

Standing
record of
rights.

7. There shall be a standing record of rights for each *abadi deh* area, which shall comprise the following, namely: -

- (i) the record of proprietary rights of each survey unit prepared under this Chapter;
- (ii) the survey reports and maps prepared under Chapter III with dimensions;
- (iii) the record of proceedings of the meetings of the village committee; and
- (iv) such other document as may be prescribed or notified.

Inquiry by
the Assistant
Recording
and
Resolution
Officer.

8. (1) The Assistant Recording and Resolution Officer, on his being designated as such, shall constitute a village committee for identifying the proprietary rights of the proprietors in the survey units.

(2) The Assistant Recording and Resolution Officer, in respect of the *abadi deh* of which the standing record of rights is to be prepared, shall inform the inhabitants of the area, in the manner prescribed, about the proposal to prepare such record for each of the survey unit.

Preparation
of standing
record of
rights.

9. (1) The Assistant Recording and Resolution Officer, after deliberations and consultations with the village committee and hearing the parties interested, shall, in a summary manner, and as may be prescribed, record the proposed entries of proprietors and their proprietary rights and of the boundaries of the survey unit in the standing record of rights, as on the appointed day.

(2) The entry of proprietor and his or its proprietary rights shall be recorded by the Assistant Recording and Resolution Officer in the name of –

- (i) the owner of the built up dwelling and residential areas including its open or enclosed court yards, other vacant land and plots of owners not being a common area, shops and other establishments;
- (ii) the panchayat and the municipal body for the common area, vacant land or plot not owned by any person; and

(iii) the Central, State Government, juristic person or other entity in respect of the land or institutions owned by it.

(3) In the conduct of exercise under sub-sections (1) and (2) if a survey unit is found to be sub-divided, which escaped the attention of the Survey Officer, the Assistant Recording and Resolution Officer shall assign a unique number to each such survey unit.

10. The survey map prepared by the Survey Officer under section 6 and the record of entries of proprietors in a survey unit prepared under section 9, shall be displayed at a conspicuous place in the village and a copy thereof supplied to the Panchayat through the Sarpanch of the village or the Chief Executive of the municipal body, as the case may be, in the manner, as may be prescribed. Display of record.

11. (1) A person aggrieved by the demarcation of any boundary in the survey record, or an entry regarding the proprietary rights in the standing record of rights in a survey unit, may, within ninety days from the date of display of record under section 10, file objections about the correctness thereof before the Assistant Recording and Resolution Officer. Raising of objections and decision.

(2) The Assistant Recording and Resolution Officer after hearing the parties and perusing the record, if any, shall make necessary correction of the boundaries in the survey map, and ascertain the person best entitled to be recorded as the proprietor in the survey unit, and within sixty days of the expiry of the period under sub-section (1), pass an order in this regard by recording reasons.

Explanation. - The recording of the proprietary rights of a person in a survey unit shall not be conclusive proof of ownership and shall be subject to corrections and alterations in appeal or revision under this Act as also the rights so determined by a judgment and order of a court of competent jurisdiction.

(3) An entry recorded in the standing record of rights under section 9, if no objection is filed within the period provided under sub-section (1), shall be treated as final.

(4) The Assistant Recording and Resolution Officer shall thereafter in the manner prescribed, publish the record as finalized, which shall incorporate an order that may be passed under sub-section (2).

(5) The standing record of rights finalized by the Assistant Recording and Resolution Officer shall be amended or modified in the event of an order passed under sub-section (4) is set aside, modified or reversed in appeal, review or revision.

CHAPTER V

APPEAL, REVIEW AND REVISION

Appeals. 12. (1) Any person aggrieved by an order passed by the Assistant Recording and Resolution Officer under section 11 may, within thirty days of the passing of such order, file an appeal before the Recording and Resolution Officer.

(2) The Recording and Resolution Officer after hearing the parties interested and likely to be affected either accept the appeal or dismiss the same by passing a reasoned order.

(3) Any person aggrieved by an order passed by the Recording and Resolution Officer under sub-section (2) may, within thirty days of the passing of such order, appeal to the Chief Recording and Resolution Officer, who shall after hearing the parties interested and likely to be affected either accept the appeal or dismiss the same by passing a reasoned order.

(4) Appeals under sub-sections (2) and (3) shall be decided by the Recording and Resolution Officer and the Chief Recording and Resolution Officer, as the case may be, within sixty days from the date the respondent puts in appearance after notice or is proceeded against *ex-parte* unless for reasons to be recorded in writing it is directed otherwise.

(5) An appellate authority shall not remand a case except where it is established from the record that an adverse order has been passed against a necessary party who was not duly served.

Review. 13. The Assistant Recording and Resolution Officer, the Recording and Resolution Officer and the Chief Recording and Resolution Officer, may within sixty days of the order sought to be reviewed either on their own motion or on the application of a party interested, after notice to the party likely to be affected and giving reasonable hearing, review, and on so reviewing, modify, reverse or confirm any order passed by himself or his predecessor in office:

Provided that -

- (i) when an Assistant Recording and Resolution Officer finds it necessary to review any order, he shall first obtain the sanction of the Recording and Resolution Officer;
- (ii) when a Recording and Resolution Officer finds it necessary to review any order, he shall first obtain the sanction of the Chief Recording and Resolution Officer;
- (iii) when a Chief Recording and Resolution Officer finds it necessary to review any order, he shall first obtain the sanction of the Commissioner;
- (iv) when any such order is modified or reversed on review by the Assistant Recording and Resolution Officer, or the Recording and Resolution Officer, an appeal shall lie against the order of the Assistant Recording and Resolution Officer to the Recording and Resolution Officer, and from the order of the Recording and Resolution Officer to the Chief Recording and Resolution Officer, and the order on such appeal shall be final;
- (v) an order against which an appeal or revision has been preferred shall not be reviewed; and
- (vi) an appeal shall not lie from an order refusing or granting permission to review or confirming on review a previous order.

14. The Commissioner may, on an application of an aggrieved party, within sixty days of an order being passed, call for and examine the records relating to any order passed or proceedings taken under this Act for the purpose of satisfying himself as to the legality or propriety of such order or proceedings and after hearing the affected parties, may pass such order in relation thereto as he may deem fit and modify, reverse or confirm any order passed under this Act.

Revision by
Commis-
sioner.

15. An order of an officer passed under this Act shall be subject to a decree or order which may be passed by a court of competent jurisdiction.

Decree or
order of the
court.

CHAPTER VI**TRANSFER OF RECORD**

- Transfer of record to the District Collector. 16. After preparation and finalization of the standing record of rights of the *abadi deh* area, it shall be attested by the Assistant Recording and Resolution Officer and transferred to the District Collector for maintaining and revising it under the Revenue Act.
- Application of Chapter IV of Revenue Act. 17. The provisions of Chapter IV of the Revenue Act after transfer of the record under section 16 shall apply *mutatis mutandis* to such record.

CHAPTER VII**PARTITION**

- Partition of survey units. 18. A partition of survey units comprised in *abadi deh* may be allowed by a Revenue Officer after the standing record-of- rights has been transferred, and only if the partition has been affirmed by all interested parties with a map showing the proposed partition signed by all persons having proprietary rights:
- Provided that the Revenue Officer after examining such of the co-proprietors of the survey unit and other persons may, if he is of the opinion that the survey unit is impartible or the partition is impractical and there is good and sufficient cause why partition should be disallowed, refuse to partition the survey unit by recording the grounds of his refusal.
- Disputes as to partition. 19. An application for the partition of a survey unit, in the event of a dispute, shall not lie before the Revenue Officer and the party aggrieved may approach the civil court for partition.

CHAPTER VIII**MISCELLANEOUS**

- Summoning. 20. (1) A summons issued by an officer appointed under this Act shall be served—
- (i) personally, on the person to whom it is addressed, or failing him;
 - (ii) his recognized agent; or
 - (iii) an adult member of his family usually residing with him.
- (2) A summons may also be served by pasting a copy thereof at the usual or last known place of residence of the person to whom it is addressed.

(3) A summons may, if an officer appointed under this Act so directs, be served on the person named therein, either in addition to, or in substitution for, any other mode of service, by forwarding the summons by post in a letter addressed to the person and registered under Chapter VI of the Indian Post Office Act, 1898 (Central Act VI of 1898), or sent through a reputed courier agency notified by the Government in this regard.

(4) When a summons is so forwarded in a letter, and it is proved that the letter was properly addressed and duly posted and registered, the officer appointed under this Act may presume that the summons was served at the time when receipt of its delivery is furnished:

Provided that in case of a letter sent through registered post, its delivery may be presumed after thirty days if it is not received back undelivered within this period.

(5) A summons may also be served on the person named therein by publication of the contents thereof in a daily Punjabi newspaper having wide circulation:

Provided that if the summons relates to a case in which persons having the same interest are so numerous that personal service on all of them is not reasonably practicable, it may, in the first instance and if the officer appointed under this Act so directs, be served by delivery of a copy thereof to such of those persons as the officer appointed under this Act nominates in this behalf, and by publication of the contents thereof in a daily Punjabi newspaper having wide circulation, for the information of the other persons interested.

(6) The summons may also be served through Short Message Service, email, or through other electronic modes at the phone number or e-mail address otherwise known or made known, to the officer appointed under this Act:

Provided that if service is effected through any of the above modes, a printout of the delivery of summons shall be placed on the record.

(7) A notice, order of proclamation or copy of any such document, issued by an officer under this Act for service on any person shall be served in the manner provided in this section for the service of a summons.

	(8) Any of the modes of service provided in sub-sections (2), (3), (5) or (6) may be adopted simultaneously in addition to the mode of service provided in sub-section (1).
Presumption in favour of entries in the standing record of rights.	21. Any entry made in a standing record-of-rights in accordance with the provisions of this Act shall be presumed to be true until the contrary is proved or a new entry is lawfully substituted therefor.
Suit for declaratory decree by persons aggrieved by an entry in a record.	22. If any person considers himself aggrieved as to any right of which he is in possession by an entry in a standing record-of-rights, he may institute a suit for a declaration of his right under Chapter VI of the Specific Relief Act, 1963(Central Act No. 47 of 1963).
Correction of clerical errors.	23. The clerical or arithmetical mistakes in any order passed by any officer under this Act may, at any time be corrected by the authority concerned either of its own motion or on the application of any of the parties and an intimation of such correction shall be made to the parties free of any charges and also to the concerned officer for its implementation.
Protection of action taken in good faith.	24. No suit, prosecution or other legal proceedings shall lie against any officer under this Act or any official acting under the directions of such officer, for anything which is in good faith done or intended to be done under the provisions of this Act or any rule made thereunder.
Power to remove difficulties.	25. (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order published in the Official Gazette, make such provision, not inconsistent with the provisions of this Act as appear to it to be necessary or expedient for removing the difficulty: Provided that no such order shall be made after the expiry of a period of two years from the date of commencement of this Act. (2) Every order made under this section shall, as soon as may be, after it is made, be laid before the State Legislature.
Exclusion of jurisdiction of civil courts.	26. Except as otherwise provided in this Act, no civil court shall entertain any suit instituted or application made to obtain a decision or order in respect of any matter which the Government or any officer is by this Act empowered

to determine or dispose of.

27. The officers under this Act and any person acting under their orders may, in the discharge of any duty under this Act, enter upon and survey land in the manner prescribed, put and erect survey marks thereon and demarcate the boundaries thereof and do all other such acts necessary for the proper performance of that duty.
28. (1) If any person willfully destroys, dismantles or without lawful authority removes a survey or demarcation mark lawfully erected or put, he may be ordered by the Recording and Resolution Officer to pay such fine not exceeding rupees one thousand for each mark so destroyed, dismantled or removed, as may, in the opinion of that officer, be necessary to defray the expenses of restoring the same and rewarding the person, if any, who gave information of the destruction, dismantling or removal.
- (2) The amount of fine levied under sub-section (1), if not paid in the manner prescribed, shall be recoverable as arrears of land revenue under the Revenue Act.
- (3) The imposition of a fine under this section shall not bar a prosecution under section 434 of the Indian Penal Code, 1860 (Central Act No. 45 of 1860); or prosecution of the offender under any other law for the time being in force.
29. (1) The Government may, by notification, in the Official Gazette, make rules for carrying out the purposes of this Act.
- (2) In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for all or any of the following matters under this Act, namely: -
- (a) the composition and members of the village committee;
 - (b) the appointment or nomination of officers under this Act for carrying out its intent and purpose;
 - (c) the documents to be comprised in the standing record of rights;

-
- (d) the manner in which the standing records of rights is to be prepared, displayed and published;
 - (e) the procedure for the transfer of the standing records-of-rights prepared under this Act to the revenue authorities under the Revenue Act;
 - (f) the procedure for the imposition and deposit of fine imposed by the Recording and Resolution Officer for willfully destroying, dismantling or without lawful authority removing a survey demarcation mark;
 - (g) the forms for the service of summons, display, publication, preparation and maintenance of records under this Act;
 - (h) the manner in which boundaries of all or any survey unit are to be demarcated and the survey marks to be erected thereon;
 - (i) for issuing of copies and certified copies, including digitized copies of record, order and documents prepared and maintained under this Act and the rules made thereunder; and
 - (j) any other matter for giving effect to the provisions of this Act, or may be prescribed under this Act.

S.K. AGGARWAL,

Secretary to Government of Punjab,
Department of Legal and Legislative Affairs.

PART I
GOVERNMENT OF PUNJAB
DEPARTMENT OF LEGAL AND LEGISLATIVE AFFAIRS, PUNJAB
NOTIFICATION

The 1st April, 2021

No. 9-Leg./2021.- The following Act of the Legislature of the State of Punjab received the assent of the Governor of Punjab on the 26th day of March, 2021, is hereby published for general information:-

THE SARDAR BEANT SINGH STATE UNIVERSITY ACT, 2021
(Punjab Act No. 9 of 2021)

AN

ACT

to provide for the establishment and incorporation of a University for the advancement of education and development thereof in the State of Punjab and for the matters connected therewith or incidental thereto.

BE it enacted by the Legislature of the State of Punjab in the Seventy-second Year of the Republic of India as follows:-

1. (1) This Act may be called the Sardar Beant Singh State University Act, 2021. Short title and commencement.
- (2) It shall come into force on and with effect from the date of its publication in the Official Gazette.
2. In this Act, unless the context otherwise requires,- Definitions.
 - (a) "Academic Council" means the Academic Council of the University;
 - (b) "authorities" means the authorities of the University;
 - (c) "Board" means the Board of Governors of the University;
 - (d) "Board of Studies" means the Board of Studies of the University;
 - (e) "campus" means the campus of the Beant College of Engineering and Technology as on the date of coming into force of this Act;
 - (f) "Chancellor" means the Chancellor of the University;
 - (g) "Chairman" means the Chairman of the Board;

-
- (h) “employee” means any person appointed by the University, and includes teachers and other academic staff of the University;
 - (i) “Finance Committee” means the Finance Committee of the University;
 - (j) “Planning Board” means the Planning Board of the University;
 - (k) "Registrar" means the Registrar of the University;
 - (l) “regulations” means the regulations of the University made under this Act;
 - (m) “School” means a School of Studies of the University;
 - (n) "State Government" means the Government of the State of Punjab;
 - (o) “student” means a student of the University, and includes any person who has enrolled himself for pursuing any course of study of the University;
 - (p) “teachers” means Professors, Associate Professors, Assistant Professors and such other persons as may be designated as such by the regulations for imparting instruction in the University or for giving guidance or rendering assistance to students for pursuing any course of study of the University;
 - (q) “University” means the Sardar Beant Singh State University established under this Act; and
 - (r) “Vice-Chancellor” means the Vice-Chancellor of the University.

Establishment
and incorpora-
tion of the
University.

3. (1) There shall be established a University by the name of the Sardar Beant Singh State University.
- (2) The headquarter of the University shall be at Gurdaspur.
- (3) The first Vice-Chancellor, the first members of the Board of Governors, the Academic Council and the Planning Board and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership, are hereby constituted a body corporate by

the name of the Sardar Beant Singh State University.

(4) The University shall have perpetual succession and a common seal and shall sue and be sued by the said name.

4. The University shall perform the following functions, namely:-

Powers and
functions of
the
University.

- (a) to make provisions for providing, upgrading and promoting technical education and training and research in Technical Education and to create entrepreneurship and a conducive environment for the pursuit of the technical education in close cooperation with the industry;
- (b) to generate and maintain resources through consultancy services, testing services, continuing education programmes, national and international collaborations and transfer of intellectual property rights;
- (c) to institute and confer degrees, diplomas, certificates and other academic distinctions;
- (d) to hold examinations and to grant and confer degrees, diplomas, certificates and other distinctions to and on persons who,-
 - (i) shall have pursued a course of study in the University and shall have passed the examinations prescribed by the University; and
 - (ii) shall have carried on research under conditions prescribed by the regulations;
- (e) to confer honorary degrees in the manner laid down by the regulations;
- (f) to institute Professorships, Associate Professorships, Assistant Professorships and any other teaching posts required by the University and to appoint persons to such Professorships, Associate Professorships, Assistant Professorships and other posts;
- (g) to institute and award fellowships, scholarships, studentships,

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- exhibitions and prizes in accordance with the provisions of the regulations;
- (h) to institute and maintain Halls and Hostels;
 - (i) to supervise and control the residence and discipline of the students of the University and to make arrangement for promoting their health and general welfare;
 - (j) to organise laboratories, libraries, museums and to provide such other equipment for teaching and research as is required;
 - (k) to demand and receive such fees and other charges as may be prescribed by regulations;
 - (l) to hold and manage trusts and endowments which may be created in favour of the University;
 - (m) to institute and manage,-
 - (i) Printing and Publication Departments;
 - (ii) University Extension Boards;
 - (iii) Information Bureau; and
 - (iv) Employment Bureau;
 - (n) to make special provisions for the spread of technical education amongst classes and communities which are educationally backward;
 - (o) to make provisions for,-
 - (i) the maintenance of National Cadet Corps or other similar organizations;
 - (ii) physical and military training; and
 - (iii) sports and athletic clubs;
 - (p) to create administrative, ministerial and other necessary posts and make appointments thereto;
 - (q) to receive gifts, donations or benefactions from the State Government or the Central Government and to receive

bequests, donations and transfer of moveable or immovable property from testators, donors or transferors, as the case may be; and

- (r) to do all such other acts whether incidental to the powers aforesaid or not, as may be required in order to further the objects of the University.

5. The University shall exercise its jurisdiction within its campus. Jurisdiction.

6. (1) The University shall be open to persons of either sex and of whatever race, creed, caste or class, and it shall not be lawful for the University to adopt or impose on any person any test whatsoever of religious belief or profession in order to entitle him to hold any post or any other office in the University or be admitted as a student in the University, or to graduate thereat, or to enjoy or exercise any privilege thereof. University open to all classes, castes and creeds.

(2) Nothing in sub-section (1) shall be deemed to prevent the University from making any special provision for the appointment or admission of women or of persons belonging to the weaker sections of the society, and in particular, of persons belonging to the Scheduled Castes or Scheduled Tribes.

7. The following shall be the officers of the University, namely:- Officers of the University.

- (i) the Chancellor;
- (ii) the Vice-Chancellor;
- (iii) the Registrar; and
- (iv) such other persons in the service of the University, as may be declared by the regulations to be the officers of the University.

8. The Governor of Punjab shall be the Chancellor of the University. Chancellor.

9. (1) The Vice-Chancellor shall be appointed by the Chancellor on the advice of the State Government out of a panel of persons of national eminence, prepared through a transparent screening process: Appointment , powers, duties, conditions of service and removal of the Vice- Chancellor.

Provided that the first Vice-Chancellor shall be appointed for a period of three years by the State Government.

(2) The Vice-Chancellor shall hold office for a term of three years, which may be extended for another three years by the Chancellor, on the advice and recommendations of the State Government.

(3) The Chancellor shall determine the amount of remuneration and other conditions of service of the Vice-Chancellor:

Provided that such terms and conditions shall not be altered to the disadvantage of the Vice-Chancellor during his term of office.

(4) Notwithstanding anything contained in sub-section (2), the Chancellor, on the recommendations of the State Government may, at any time, by an order in writing, remove the Vice-Chancellor from the office on the ground of incapacity, misconduct or violation of statutory provisions:

Provided that no such order shall be made by the Chancellor unless the Vice-Chancellor has been given a reasonable opportunity of showing cause against the action proposed to be taken against him:

Provided further that during the pendency of any inquiry, the Chancellor may, on the recommendations of the State Government, place the Vice-Chancellor under suspension.

(5) In case the office of the Vice-Chancellor becomes vacant due to death, resignation, expiry of term, illness or such other cause, the Chancellor, on the recommendations of the State Government may appoint any person to perform the functions of the Vice-Chancellor until a new Vice-Chancellor is appointed.

(6) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall exercise general control over its affairs in accordance with the regulations and give effect to the decisions of the authorities of the University.

(7) The Vice-Chancellor shall have the power of convening meetings of the Academic Council.

(8) It shall be the duty of the Vice-Chancellor to ensure that the provisions of this Act and the regulations are faithfully observed and he shall have all powers necessary for this purpose.

(9) If, in the opinion of the Vice-Chancellor, an emergency has arisen which requires immediate action to be taken, the Vice-Chancellor shall take such action as he deems necessary with the approval of the Chairman and shall report the same for confirmation at the next meeting to the authority, which in the ordinary course, would have dealt with the matter:

Provided that where any such action taken by the Vice-Chancellor is not approved by the authority concerned, he may refer that matter to the Chancellor, whose decision thereon shall be final:

Provided further that where any such action taken by the Vice-Chancellor affects any person in the service of the University, such person shall be entitled to prefer an appeal to the Board, within a period of thirty days from the date on which he receives notice of such action.

10. (1) The Registrar shall be appointed by the Board on the recommendations of the Vice-Chancellor for a period of three years, which may be extended by another term of three years. Appointment, powers, duties and conditions of service of the Registrar.
- (2) The terms and conditions of service of the Registrar shall be such, as may be determined by the Board.
- (3) The Registrar shall be the ex-officio Secretary of the Board and the Academic Council.

- (4) It shall be the duty of the Registrar to,-
- (a) be custodian of the records, common seal and such other property of the University, as the Board may commit to his charge;
 - (b) keep the minutes of all meetings of the Board and the Academic Council;
 - (c) conduct the official correspondence of the Board and the Academic Council;
 - (d) arrange for and superintend the examination of the University;
 - (e) supply to the Chancellor, copies of the agenda of the

meetings of the authorities as soon as they are issued, and minutes of the meetings of the authorities ordinarily within a period of one month of the holding of the meetings; and

- (f) perform such other duties, as may from time to time, be assigned to him by the Vice-Chancellor or the Board.

Appointment, powers, duties of the officers and their terms of office etc.

11. (1) Subject to the provisions of this Act, the powers and duties of the officers of the University other than the Chancellor, the Vice-Chancellor and the Registrar, the terms for which they shall hold office and the filling of casual vacancies in such offices, shall be provided for by the regulations.

(2) The mode of appointments, terms and conditions of service and the functions of the officers of the University, other than the Chancellor, the Vice-Chancellor and the Registrar, shall also be provided for by the regulations, in so far as they are not provided herein.

Authorities of the University.

12. The following shall be the authorities of the University, namely:-

- (a) the Board of Governors;
- (b) the Academic Council;
- (c) the Faculties;
- (d) the Board of Studies;
- (e) the Planning Board;
- (f) the Finance Committee; and
- (g) such other authorities, as may be declared by regulations to be the authorities of the University.

Board of Governors.

13. (1) The Board shall consist of a Chairman, twelve ex-officio members (including the Vice-Chairman) and six nominated members.

(2) The Minister-in-Charge of the Department of Technical Education and Industrial Training, Punjab shall be the Chairman.

(3) The Administrative Secretary to Government of Punjab, Department of Technical Education and Industrial Training shall be the Vice-

Chairman. In the absence of the Chairman, the Vice -Chairman shall act as Chairman.

- (4) (a) The Chairman shall ordinarily preside over the meetings of the Board.
- (b) The Chancellor shall preside over the convocation of the University and if he is unable to preside over the same, then the Chairman shall preside over the convocation.
- (5) (a) The Chancellor shall, on the advice of the State Government, nominate the following members of the Board for a period of three years and they shall be eligible for re-nomination for another term of the same period, namely:-
 - (i) two members from amongst the eminent Industrialists;
 - (ii) two members from amongst the eminent educationists; and
 - (iii) two heads of the departments by rotation from amongst the heads of the departments of the University.
- (b) The following shall be the Ex-officio members, namely:-
 - (i) Vice-Chancellor, the Sardar Beant Singh State University;
 - (ii) Vice-Chancellor, the IK Gujral Punjab Technical University;
 - (iii) Administrative Secretary to Government of Punjab, Department of Higher Education;
 - (iv) Administrative Secretary to Government of Punjab, Department of Finance;

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- (v) Member of the Punjab Legislative Assembly from Gurdaspur assembly constituency;
 - (vi) Member of the Punjab Legislative Assembly from Dinanagar assembly constituency;
 - (vii) Director, Indian Institute of Management, Amritsar;
 - (viii) Director, Indian Institute of Technology, Ropar;
 - (ix) Vice-Chairman, University Grants Commission, New Delhi or his nominee;
 - (x) President of the Confederation of Indian Industry or his nominee; and
 - (xi) President of the PHD Chamber of Commerce and Industries or his nominee.

(6) When a vacancy occurs in the Board due to the resignation or death of a member or otherwise, the same shall be filled in the manner provided in sub-section 5:

Provided that the person who fills such vacancy shall hold office for the unexpired portion of the term for which the person in whose place he becomes a member would have otherwise continued in office.

(7) The Board shall be the supreme authority of the University and shall have the following powers and functions, namely:-

- (a) to superintend and control the affairs of the University;
- (b) to approve academic programmes;
- (c) to frame and approve regulations;
- (d) to create Departments/Centres/Schools/Boards of Studies for running various academic programmes;
- (e) to create posts of faculty and staff positions in the University;

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- (f) to approve the University budget;
 - (g) to administer and control the funds of the University and to authorize the opening and operation of the Bank Accounts;
 - (h) to accept, transfer and otherwise control the moveable, immovable and intellectual property of the University;
 - (i) to decide upon the form and use of common seal of the University;
 - (j) to appoint such committees as may be required for the efficient functioning of the University;
 - (k) to approve the emoluments and terms and conditions of service of the faculty and staff of the University; and
 - (l) to approve the performance of works and services on contract.

(8) An annual meeting of the Board shall be held on a date to be fixed by the Vice-Chancellor in consultation with the Chairman. In such annual meeting, report of working of the University during the previous year together with the statement of the receipts and expenditure, the balance sheet and financial estimates shall be presented.

(9) Special meeting of the Board may be convened by the Chairman as and when necessary.

(10) The members of the Board shall be entitled to such allowances, if any, and the sitting fee from the University as may be provided in the regulations, but no member, other than the persons referred to in sub-clause (iii) of clause (a) and sub-clause (i) of clause (b) of sub-section (5) of this section, shall be entitled to any salary.

(11) Six members, including the Chairman, shall constitute a quorum at any meeting of the Board.

(12) In case of difference of opinion amongst the members, the opinion of the majority shall prevail.

(13) Each member of the Board, including the Chairman, shall have one vote. If there shall be equality of votes on any question to be determined by the Board, the Chairman shall, in addition, have the power to exercise a casting vote.

(14) Every meeting of the Board shall be presided over by the Chairman and, in his absence the Vice-Chairman shall preside over the meeting.

(15) Any resolution, except such which is placed before the meeting of the Board, may be adopted by circulation among all its members. Any resolution so circulated and adopted by a majority of the members, who have given their approval or disapproval of such resolution, shall be as effective and binding as if such resolution had been adopted in a meeting of the Board:

Provided that for any decision by such circulation at least four members of the Board must support the resolution in writing.

Academic
Council.

14. (1) The Academic Council shall be the Academic Body of the University and shall, subject to the provisions of this Act and regulations, have control and be responsible for the maintenance of standard of instructions, education and examination within the University and shall exercise such other powers and perform such other duties, as may be conferred or imposed upon it by regulations. It shall have the right to advise the Board on all academic matters.

(2) The Academic Council shall consist of the following members, namely:-

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|-------|--|---|----------|
| (i) | the Vice-Chancellor; | : | Chairman |
| (ii) | the Dean of Faculties; | : | Member |
| (iii) | all the Heads of the
Departments/ Schools of
the University; | : | Members |

(iv)	the Principals of three colleges situated in the State to be nominated by the Board;	:	Members
(v)	Director, Indian Institute of Technology, Ropar (Punjab);	:	Member
(vi)	Director, Department of Technical Education and Industrial Training, Punjab;	:	Member
(vii)	two eminent industrialists to be nominated by the Board; and	:	Members
(viii)	two eminent educationists to be nominated by the Board.	:	Members

The nomination of members mentioned at serial numbers (iv), (vii) and (viii), shall be for a period of two years.

15. (1) The Planning Board shall consist of,-
- Planning Board.
- (a) the Vice-Chancellor;
 - (b) the Administrative Secretary to Government of Punjab, Department of Finance or his nominee;
 - (c) the Administrative Secretary to Government of Punjab, Department of Higher Education or his nominee;
 - (d) the Administrative Secretary to Government of Punjab, Department of Technical Education and Industrial Training or his nominee;
 - (e) the Director, Department of Technical Education and Industrial Training or his nominee;
 - (f) not more than ten persons of high standing in public life, education and industry who shall be appointed by the State Government; and

(g) the Registrar shall be the Secretary to the Planning Board.

(2) The recommendations of the Planning Board shall be implemented after they are approved by the appropriate authorities of the University.

(3) The Planning Board shall advise on the planning and development of the University, particularly in respect of the standard of education and research in the University.

Finance
Committee.

16. (1) The Finance Committee shall consist of the following members, namely:-

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|-------|---|---|----------------------|
| (i) | Vice- Chancellor; | : | Chairman |
| (ii) | Administrative Secretary to
Government of Punjab,
Department of Finance; | : | Member |
| (iii) | Administrative Secretary to
Government of Punjab, Department
of Technical Education and Industrial
Training; | : | Member |
| (iv) | Director, Department of Technical
Education and Industrial Training,
Punjab; and | : | Member |
| (v) | Registrar. | : | Member-
Secretary |

(2) The Finance Committee shall advise the Board on all financial matters.

(3) All matters having financial implications shall firstly be approved by the Finance Committee and only thereafter, be placed before the Board of Governors, for consideration.

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17. Subject to the provisions of this Act, the constitution, the powers and duties of the authorities of the University, other than the Board and the Academic Council, shall be provided for by the regulations. Powers and duties of the authorities of the University.
18. (1) The first regulations of the University shall be made by the State Government and shall be notified in the Official Gazette. Making, amendment, repeal and operations of regulations.
- (2) The Board may, from time to time, make new or additional regulations or may amend or repeal the regulations:
- Provided that the Board shall not propose the draft of amendment of the regulations affecting the status, powers or constitution of any existing authority of the University, until such authority has been given an opportunity of expressing an opinion upon the proposal and any opinion so expressed shall be in writing and shall be considered by the Board.
- (3) Every new regulation or any addition or any amendment or repeal of regulation shall require the approval of the State Government, which may approve, disallow or remit it to the Board for further consideration.
19. Subject to the provisions of this Act, the regulations may provide for all or any of the following matters, namely:- Regulations.
- (a) the constitution, powers and duties of the Academic Council and such other authorities, as may be deemed necessary to constitute from time to time;
 - (b) the appointments, powers and duties of the officers of the University;
 - (c) the constitution of gratuity and provident fund and the establishment of an insurance scheme for the benefit of the officers and other employees of the University;
 - (d) the conferment of Honorary degrees;
 - (e) the withdrawal of degrees, diplomas, certificates and other academic distinctions;

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- (f) the establishment and constitution of faculties, departments, halls, hostels, centres and schools;
 - (g) the conditions under which schools and centres may be admitted to the privileges of the University and the withdrawal of such privileges;
 - (h) the admission of students to the University and their enrolment as such;
 - (i) the courses of study to be laid down for all degrees, diplomas and certificates of the University;
 - (j) the degrees, diplomas, certificates and other academic distinctions to be awarded by the University, the qualifications for the same and the amounts to be taken relating to the granting and obtaining of the same;
 - (k) the fees to be charged for the courses of study in the University and for admission to the examinations, degrees, diplomas and certificates of the University;
 - (l) the conditions for the award of fellowships, scholarships, studentships, exhibitions, medals and prizes;
 - (m) the conduct of examinations including terms of office and manner of appointment and the duties of examining bodies, examiners and moderators;
 - (n) the maintenance of discipline amongst the students at the University;
 - (o) the conditions of residence of students at the University;
 - (p) the emoluments and terms and conditions of service of the officers and employees of the University;
 - (q) the management of schools, and centres founded or maintained by the University;

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- (r) the supervision and inspection of schools and centres admitted to the privileges of the University; and
- (s) all other matters, which by this Act are or may be provided for by the regulations.
20. (1) The authorities may make sub-regulations consistent with this Act and regulations for all or any of the following matters, namely:- Sub-regulations.
- (a) laying down, the procedure to be observed at their meetings and the number of members required to form the quorum; and
- (b) providing for all matters which by this Act and regulations are to be specified.
- (2) Every authority shall make sub-regulations providing for the giving of notice to the members of such authority of the dates of meetings and of the business to be considered in the meetings and for the keeping of a record of the proceedings of the meetings.
21. The State Government may, from time to time, provide such amounts by way of grants for meeting the capital, recurring or other expenditure of the University, as it may deem fit. Corpus of Funds.
22. The Annual report of the University shall be prepared and shall be submitted to the Board for approval at its annual meeting on or before such date, as may be prescribed by regulations. Annual report.
23. The accounts of the income and expenditure of the University shall be submitted once every year to the State Government for such examination and audit, as the State Government may direct. The accounts when audited, shall be published in the Official Gazette of the State Government. Annual account.
24. No act done, or proceedings taken under this Act by any authority or any other body of the University shall be invalid merely on any of the following grounds, namely:- Acts or proceedings of authorities and bodies not invalidated by vacancies.
- (a) vacancy or defect in the constitution of the authority or body;

- (b) defect or irregularity in nomination or appointment of a person acting as a member thereof; and
- (c) defect or irregularity in such act or proceeding, not affecting the merits of the case.

Disputes
about
constitution of
authorities and
bodies.

25. If any question arises whether a person has been duly nominated or appointed or is entitled to be a member of any authority or body of the University, the matter shall be referred to the Chancellor, whose decision thereon shall be final.

Powers of the
State
Government.

26. (1) The State Government shall have the powers to make a reference to the University with regard to any matter of policy or in respect of any act done by the University in contravention with the provisions of this Act or the regulations made thereunder.

(2) The University shall report to the State Government about the action, if any, as it proposes to take or has taken upon the reference made under sub-section (1), and shall submit an explanation to the State Government, if it fails to take action.

(3) If, the University fails to take action on such reference to the satisfaction of the State Government within a reasonable time, it may after considering explanation submitted by the University, issue such directions consistent with this Act, as the State Government may consider necessary and the University shall comply with such directions.

(4) The State Government may, at any time, arrange for an inspection or inquiry into the affairs of the University by such authority or person as it may specify, to satisfy about the proper and effective functioning of the University and also upon any matter connected with the administration and finances of the University.

(5) The University may authorize any person to represent it on the inspection or inquiry referred to in sub-section (4).

(6) On receipt of the report of inspection or inquiry referred to in sub-section (4), the State Government may examine the same and give such

directions, as it may consider necessary, to the University.

(7) The Vice-Chancellor shall within a period of thirty days from the date of receipt of the directions given under sub-section (6), send an intimation to the State Government about the action taken by the University in pursuance of the said directions.

(8) On the expiry of the period specified in sub-section (7), the State Government may, after considering the intimation, if any, received from the Vice-Chancellor, issue such directions to the University, as it may consider necessary and the University shall comply with such directions.

27. Every resolution passed by the University shall be communicated to the State Government within a period of thirty days from the date of passing such resolution.

Communica-
tion of
resolution to
the State
Government.

28. If in the opinion of the State Government, resolution of the University is not in public interest, or is not in conformity with the provisions of this Act or the regulations made thereunder, it may, by an order in writing, suspend the implementation of such resolution:

Powers of the
State
Government
to suspend or
cancel the
resolution of
the Univer-
sity.

Provided that the resolution, the implementation of which is suspended by the State Government, shall not be cancelled without giving a reasonable opportunity to the University to explain its position.

29. The State Government may issue such directions to the University, as in its opinion are necessary or expedient for carrying out the purposes of the Act or regulations made thereunder or in public interest, and the University shall be bound to comply with all such directions.

State
Government
to give
directions.

30. If any difficulty arises with respect to the establishment of the University or in connection with the first meeting of any authority of the University or otherwise in giving effect to the provisions of this Act at the first stage, the State Government may at any time, before any authority of the University has been constituted, by order make any appointments or do anything so far as it may be consistent with the provisions of this Act, which appears to it necessary or expedient for the purpose of removing the difficulty. Every

Power of the
State
Government
to remove
difficulties.

such order shall have effect as if such appointment or action had been made or taken in the manner provided in this Act.

S.K. AGGARWAL,
Secretary to Government of Punjab,
Department of Legal and Legislative Affairs.

2265/4-2021/Pb. Govt. Press, S.A.S. Nagar

PART I
GOVERNMENT OF PUNJAB
DEPARTMENT OF LEGAL AND LEGISLATIVE AFFAIRS, PUNJAB
NOTIFICATION

The 1st April, 2021

No. 10-Leg./2021.- The following Act of the Legislature of the State of Punjab received the assent of the Governor of Punjab on the 26th day of March, 2021, is hereby published for general information:-

THE SHAHEED BHAGAT SINGH STATE UNIVERSITY ACT, 2021
(Punjab Act No. 10 of 2021)

AN

ACT

to provide for the establishment and incorporation of a University for the advancement of education and development thereof in the State of Punjab and for the matters connected therewith or incidental thereto.

BE it enacted by the Legislature of the State of Punjab in the Seventy-second Year of the Republic of India as follows:-

1. (1) This Act may be called The Shaheed Bhagat Singh State University Act, 2021. Short title and commencement.
(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.
2. In this Act, unless the context otherwise requires,- Definitions.
 - (a) "Academic Council" means the Academic Council of the University;
 - (b) "authorities" means the authorities of the University;
 - (c) "Board" means the Board of Governors of the University;
 - (d) "Board of Studies" means the Board of Studies of the University;
 - (e) "campus" means the campus of the Shaheed Bhagat Singh State Technical Campus as on date of coming into force of this Act;
 - (f) "Chancellor" means the Chancellor of the University;
 - (g) "Chairman" means the Chairman of the Board;
 - (h) "employee" means any person appointed by the University and includes teachers and other academic staff of the University;

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- (i) "Finance Committee" means the Finance Committee of the University;
- (j) "Planning Board" means the Planning Board of the University;
- (k) "Registrar" means the Registrar of the University;
- (l) "regulations" means the regulations of the University made under this Act;
- (m) "School" means a School of Studies of the University;
- (n) "State Government" means the Government of the State of Punjab;
- (o) "student" means a student of the University, and includes any person who has enrolled himself for pursuing any course of study of the University;
- (p) "teachers" means Professors, Associate Professors, Assistant Professors and such other persons as may be designated as such by the regulations for imparting instructions in the University or for giving guidance or rendering assistance to the students for pursuing any course of study of the University;
- (q) "University" means the Shaheed Bhagat Singh State University established under this Act; and
- (r) "Vice-Chancellor" means the Vice-Chancellor of the University.
- Establishment and incorporation of the University. 3. (1) There shall be established a University by the name of the Shaheed Bhagat Singh State University.
- (2) The headquarter of the University shall be at Ferozpur.
- (3) The first Vice-Chancellor, the first members of the Board of Governors, the Academic Council and the Planning Board and all persons who may hereafter become such officers or members, so long as they continue to hold such office or membership, are hereby constituted a body corporate by the name of the Shaheed Bhagat Singh State University.
- (4) The University shall have perpetual succession and a common seal and shall sue and be sued by the said name.
- Powers and functions of the University. 4. The University shall perform the following functions, namely:-
- (a) to make provisions for providing, upgrading and promoting technical education and training and research in Technical Education and to create entrepreneurship and a conducive

- environment for the pursuit of the technical education in close co-operation with the industry;
- (b) to generate and maintain resources through consultancy services, testing services, continuing education programmes, national and international collaborations and transfer of intellectual property rights;
 - (c) to institute and confer degrees, diplomas, certificates and other academic distinctions;
 - (d) to hold examinations and to grant and confer degrees, diplomas, certificates and other distinctions to and on persons who,-
 - (i) shall have pursued a course of study in the University and shall have passed the examinations prescribed by the University; and
 - (ii) shall have carried on research under the conditions prescribed by the regulations;
 - (e) to confer honorary degrees in the manner laid down by the regulations;
 - (f) to institute Professorships, Associate Professorships, Assistant Professorships and any other teaching posts required by the University and to appoint persons to such Professorships, Associate Professorships, Assistant Professorships and other posts;
 - (g) to institute and award fellowships, scholarships, studentships, exhibitions and prizes in accordance with the provisions of the regulations;
 - (h) to institute and maintain Halls and Hostels;
 - (i) to supervise and control the residence and discipline of the students of the University and to make arrangement for promoting their health and general welfare;
 - (j) to organise laboratories, libraries, museums and to provide such other equipment for teaching and research as is required;
 - (k) to demand and receive such fees and other charges as may be prescribed by regulations;
 - (l) to hold and manage trusts and endowments which may be

-
- created in favour of the University;
 - (m) to institute and manage,-
 - (i) Printing and Publication Departments;
 - (ii) University Extension Boards;
 - (iii) Information Bureau ;and
 - (iv) Employment Bureau;
 - (n) to make special provisions for the spread of technical education amongst classes and communities which are educationally backward;
 - (o) to make provisions for,-
 - (i) the maintenance of National Cadet Corporations or other similar organizations;
 - (ii) physical and military training; and
 - (iii) sports and athletic clubs;
 - (p) to create administrative, ministerial and other necessary posts and make appointments thereto;
 - (q) to receive gifts, donations or benefactions from the State Government or the Central Government and to receive bequests, donations and transfer of movable or immovable property from testators, donors or transferors, as the case may be; and
 - (r) to do all such other acts whether incidental to the powers aforesaid or not, as may be required in order to further the objects of the University.

- Jurisdiction. 5. The University shall exercise its jurisdiction within its campus.
- University open to all classes, castes and creeds. 6. (1) The University shall be open to persons of either sex and of whatever race, creed, caste or class, and it shall not be lawful for the University to adopt or impose on any person any test whatsoever of religious belief or profession in order to entitle him to hold any post or any other office in the University or be admitted as a student in the University, or to graduate thereat, or to enjoy or exercise any privilege thereof.
- (2) Nothing in sub-section (1) shall be deemed to prevent the University for making any special provision for the appointment or admission of women or of persons belonging to the weaker sections of the society, and in particular,

of persons belonging to the Scheduled Castes or Scheduled Tribes.

7. The following shall be the officers of the University, namely:-

Officers of the University.

- (i) the Chancellor;
- (ii) the Vice-Chancellor;
- (iii) the Registrar; and
- (iv) such other persons in the service of the University, as may be declared by the regulations to be the officers of the University.

8. The Governor of Punjab shall be the Chancellor of the University.

Chancellor.

9. (1) The Vice-Chancellor shall be appointed by the Chancellor on the advice of the State Government out of a panel of persons of National eminence, prepared through a transparent screening process:

Appointment, powers, duties, conditions of service and removal of the Vice-Chancellor.

Provided that the first Vice-Chancellor shall be appointed for a period of three years by the State Government.

(2) The Vice-Chancellor shall hold office for a term of three years, which may be extended by the Chancellor, on the advice and recommendations of the State Government.

(3) The Chancellor shall determine the amount of remuneration and other conditions of service of the Vice-Chancellor:

Provided that such terms and conditions shall not be altered to the disadvantage of the Vice-Chancellor during his term of office.

(4) Notwithstanding anything contained in clause (2), the Chancellor, on the recommendations of the State Government may, at any time, by an order in writing, remove the Vice-Chancellor from the office on the ground of incapacity, misconduct or violation of statutory provisions of the Act:

Provided that no such order shall be made by the Chancellor unless the Vice-Chancellor has been given a reasonable opportunity of showing cause against the action proposed to be taken against him:

Provided further that during the pendency of any inquiry, the Chancellor may, on the recommendations of the State Government, place the Vice-Chancellor under suspension.

(5) In case the office of the Vice-Chancellor becomes vacant due to death, resignation, expiry of term, illness or such other cause, the Chancellor, on the recommendations of the State Government may appoint any person to perform the functions of the Vice-Chancellor until a new Vice-Chancellor is appointed.

(6) The Vice-Chancellor shall be the principal executive and academic officer of the University and shall exercise general control over its affairs in accordance with the regulations and give effect to the decisions of the authorities of the University.

(7) The Vice-Chancellor shall have the power of convening meetings of the Academic Council.

(8) It shall be the duty of the Vice-Chancellor to ensure that the provisions of this Act and the regulations are faithfully observed and he shall have all powers necessary for this purpose.

(9) If, in the opinion of the Vice-Chancellor, an emergency has arisen which requires immediate action to be taken, the Vice-Chancellor shall take such action as he deems necessary with the approval of Chairman and shall report the same for confirmation at the next meeting to the authority, which in the ordinary course, would have dealt with the matter:

Provided that where any such action taken by the Vice-Chancellor is not approved by the authority concerned, he may refer that matter to the Chancellor, whose decision thereon shall be final:

Provided further that where any such action taken by the Vice-Chancellor affects any person in the service of the University, such person shall be entitled to prefer an appeal to the Board, within a period of thirty days from the date on which he receives notice of such action.

Appointment,
powers, duties
and conditions
of service of the
Registrar.

10. (1) The Registrar shall be appointed by the Board on the recommendations of the Vice-Chancellor for a period of three years, which may be extended by another term of three years.

(2) The terms and conditions of service of the Registrar shall be such, as may be determined by the Board.

(3) The Registrar shall be the ex-officio Secretary of the Board and the Academic Council.

(4) It shall be the duty of the Registrar to,-

(a) be custodian of the records, common seal and such other property of the University as the Board may commit to his charge;

-
- (b) keep the minutes of all meetings of the Board and the Academic Council;
 - (c) conduct the official correspondence of the Board and the Academic Council;
 - (d) arrange for and superintend the examination of the University;
 - (e) supply to the Chancellor, copies of the agenda of the meetings of the authorities as soon as they are issued, and minutes of the meetings of the authorities ordinarily within a period of one month of the holding of the meetings; and
 - (f) perform such other duties as may from time to time, be assigned to him by the Vice-Chancellor or the Board.

11. (1) Subject to the provisions of this Act, the powers and duties of the officers of the University other than the Chancellor, the Vice-Chancellor and the Registrar, the terms for which they shall hold office and the filling of casual vacancies in such offices, shall be provided for by the regulations.

Appointment, powers, duties of the officers and their terms of office etc.

(2) The mode of appointments, terms and conditions of service and the functions of the officers of the University, other than the Chancellor, the Vice-Chancellor and the Registrar, shall also be provided by regulations, in so far as they are not provided herein.

12. The following shall be the authorities of the University, namely:-

Authorities of the University.

- (a) the Board of Governors;
- (b) the Academic Council;
- (c) the Faculties;
- (d) the Board of Studies;
- (e) the Planning Board;
- (f) the Finance Committee; and
- (g) such other authorities, as may be declared by the regulations.

13. (1) The Board shall consist of a Chairman, twelve ex-officio members (including the Vice-Chairman) and six nominated members.

Board of Governors.

(2) The Minister In-Charge of the Department of Technical Education and Industrial Training, Punjab shall be the Chairman.

(3) The Administrative Secretary to Government of Punjab, Department of Technical Education and Industrial Training shall be Vice-Chairman. In the absence of the Chairman, the Vice-Chairman shall act as Chairman.

- (4) (a) The Chairman shall ordinarily preside over the meetings of the Board.
- (b) The Chancellor shall preside over the convocation of the University and if he is unable to preside over the same, then the Chairman shall preside over the convocation.
- (5) (a) The Chancellor shall, on the advice of the State Government, nominate the following members of the Board for a period of three years and they shall be eligible for re-nomination for another term of the same period, namely:-
 - (i) two members from amongst the eminent Industrialists;
 - (ii) two members from amongst the eminent educationists; and
 - (iii) two heads of the department by rotation from amongst the heads of the departments of the University.
- (b) The following shall be the ex-officio members, namely:-
 - (i) Vice-Chancellor, the Shaheed Bhagat Singh State University;
 - (ii) Vice-Chancellor, the Maharaja Ranjit Singh Punjab Technical University;
 - (iii) Administrative Secretary to Government of Punjab, Department of Higher Education;
 - (iv) Administrative Secretary to Government of Punjab, Department of Finance;
 - (v) Member of the Punjab Legislative Assembly from Ferozpur (Urban) assembly constituency;

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- (vi) Member of the Punjab Legislative Assembly from Ferozpur (Rural) assembly constituency;
 - (vii) Director, Indian Institute of Management, Amritsar;
 - (viii) Director, Indian Institute of Technology, Ropar;
 - (ix) Vice-Chairman, University Grants Commission, New Delhi or his nominee;
 - (x) President of the Confederation of Indian Industry or his nominee; and
 - (xi) President of the Progress, Harmony and Development Chamber of Commerce and Industries or his nominee.

(6) When a vacancy occurs in the Board due to the resignation or death of a member or otherwise, the same shall be filled in the manner provided in sub-section 5:

Provided that the person who fills such vacancy shall hold office for the unexpired portion of the term for which the person in whose place he becomes a member would have otherwise continued in office.

(7) The Board shall be the supreme authority of the University and shall have the following powers and functions, namely:-

- (a) to superintend and control the affairs of the University;
- (b) to approve academic programmes;
- (c) to frame and approve regulations;
- (d) to create Departments/Centres/Schools/Boards of studies for running various academic programmes;
- (e) to create posts of faculty and staff positions in the University;
- (f) to approve the University budget;
- (g) to administer and control the funds of the University and to authorize the opening and operation of the Bank accounts;
- (h) to accept, transfer and otherwise control the moveable,

immovable and intellectual property of the University;

- (i) to decide upon the form and use of common seal of the University;
- (j) to appoint such committees as may be required for the efficient functioning of the University;
- (k) to approve the emoluments and terms and conditions of service of the faculty and staff of the University; and
- (l) to approve the performance of works and services on contract.

(8) An annual meeting of the Board shall be held on a date to be fixed by the Vice-Chancellor in consultation with the Chairman. In such annual meeting, report of working of the University during the previous year together with the statement of the receipts and expenditure, the balance sheet and financial estimates shall be presented.

(9) Special meeting of the Board may be convened by the Chairman as and when necessary.

(10) The members of the Board shall be entitled to such allowances, if any, and the sitting fees from the University as may be provided in the regulations, but no member, other than the persons referred to in sub-clause (iii) of clause (a) and sub-clause (i) of clause (b) of sub-section 5 shall be entitled to any salary.

(11) Six members, including the Chairman, shall constitute a quorum at any meeting of the Board.

(12) In case of difference of opinion amongst the members, the opinion of the majority shall prevail.

(13) Each member of the Board, including the Chairman, shall have one vote. If there shall be equality of votes on any question to be determined by the Board, the Chairman shall, in addition, have the power to exercise a casting vote.

(14) Every meeting of the Board shall generally be presided over by the Chairman and, in his absence, the Vice-Chairman shall preside over the meeting.

(15) Any resolution, except such which is placed before the meeting of the Board, may be adopted by circulation among all its members. Any resolution so circulated and adopted by a majority of the members, who have given their approval or disapproval of such resolution, shall be as effective and binding as if such resolution had been adopted in a meeting of the Board:

Provided that for any decision by such circulation at least four members of the Board must support the resolution in writing.

14. (1) The Academic Council shall be the academic body of the University and shall, subject to the provisions of this Act and regulations, have control and be responsible for the maintenance of standard of instructions, education and examination within the University and shall exercise such other powers and perform such other duties, as may be conferred or imposed upon it by regulations. It shall have the right to advise the Board on all academic matters.

Academic
Council.

(2) The Academic Council shall consist of the following members, namely:-

- | | | |
|-------|--|------------|
| (i) | the Vice-Chancellor; | : Chairman |
| (ii) | the Dean of Faculties; | : Member |
| (iii) | all the Heads of the Departments or Schools of the University; | : Members |
| (iv) | the Principals of three colleges situated in the State to be nominated by Board; | : Members |
| (v) | Director, Indian Institute of Technology, Ropar (Punjab); | : Member |
| (vi) | Director, Department of Technical Education and Industrial Training, Punjab; | : Member |

-
- (vii) two eminent industrialists to be : Members
nominated by the Board; and
- (viii) two eminent educationists to be : Members
nominated by the Board.

The nomination of members mentioned at serial numbers (iv), (vii) and (viii), shall be for a period of two years.

Planning
Board.

15. (1) The Planning Board shall consist of,-
- (a) the Vice-Chancellor;
 - (b) the Administrative Secretary to Government of Punjab, Department of Finance or his nominee;
 - (c) the Administrative Secretary to Government of Punjab, Department of Higher Education or his nominee;
 - (d) the Administrative Secretary to Government of Punjab, Department of Technical Education and Industrial Training or his nominee;
 - (e) the Director, Department of Technical Education and Industrial Training or his nominee;
 - (f) not more than ten persons of high standing in public life, education and industry who shall be appointed by the State Government; and
 - (g) The Registrar shall be the Secretary to the Planning Board.
- (2) The recommendations of the Planning Board shall be implemented after they are approved by the appropriate authorities of the University.
- (3) The Planning Board shall advise on the planning and development of the University, particularly in respect of the standard of education and research in the University.

Finance
Committee.

16. (1) The Finance Committee shall consist of the following members, namely:-
- (i) Vice- Chancellor; : Chairman

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- | | | | |
|-------|--|---|---------------------|
| (ii) | Administrative Secretary to
Government of Punjab,
Department of Finance; | : | Member |
| (iii) | Administrative Secretary to
Government of Punjab,
Department of Technical
Education and Industrial
Training; | : | Member |
| (iv) | Director, Department of Technical
Education and Industrial Training
Punjab; and | : | Member |
| (v) | Registrar. | : | Member
Secretary |

(2) The Finance Committee shall advise the Board on all financial matters.

(3) All matters having financial implications shall firstly be approved by the Finance Committee and only thereafter, be placed before the Board of Governors, for consideration.

17. Subject to the provisions of this Act, the constitution, the powers and duties of the authorities of the University, other than the Board and the Academic Council shall be provided for by the regulations.

Powers and
duties of the
authorities of
the Univer-
sity.

18. (1) The first regulations of the University shall be made by the State Government and shall be notified in the Official Gazette.

Making
amendment,
repeal and
operations of
regulations.

(2) The Board may, from time to time, make new or additional regulations or may amend or repeal the regulations:

Provided that the Board shall not propose the draft of amendment of the regulations affecting the status, powers or constitution of any existing authority of the University, until such authority has been given an opportunity of expressing an opinion upon the proposal and any opinion so expressed shall be in writing and shall be considered by the Board.

(3) Every new regulation or any addition or any amendment or repeal of

regulation shall require the approval of State Government, which may approve, disallow or remit it to the Board for further consideration.

Regulations. 19. Subject to the provisions of this Act, the regulations may provide for all or any of the following matters, namely:-

- (a) the constitution, powers and duties of the Academic Council and such other authorities as may be deemed necessary to constitute from time to time;
- (b) the appointments, powers and duties of the officers of the University;
- (c) the constitution of gratuity and provident fund and the establishment of an insurance scheme for the benefit of the officers and other employees of the University;
- (d) the conferment of Honorary degrees;
- (e) the withdrawal of degrees, diplomas, certificates and other academic distinctions;
- (f) the establishment and constitution of faculties, departments, halls, hostels, centres and schools;
- (g) the conditions under which colleges, schools and centres may be admitted to the privileges of the University and the withdrawal of such privileges;
- (h) the admission of students to the University and their enrolment as such;
- (i) the courses of study to be laid down for all degrees, diplomas and certificates of the University;
- (j) the degrees, diplomas, certificates and other academic distinctions to be awarded by the University, the qualifications for the same and the amounts to be taken relating to the granting and obtaining of the same;
- (k) the fees to be charged for the courses of study in the University and for admission to the examinations, degrees, diplomas and certificates of the University;

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- (l) the conditions for the award of fellowships, scholarships, studentships, exhibitions, medals and prizes;
- (m) the conduct of examinations including terms of office and manner of appointment and the duties of examining bodies, examiners and moderators;
- (n) the maintenance of discipline amongst the students at the University;
- (o) the conditions of residence of students at the University;
- (p) the emoluments and terms and conditions of service of the officers and employees of the University;
- (q) the management of schools and centres founded or maintained by the University;
- (r) the supervision and inspection of schools and centres admitted to the privileges of the University; and
- (s) all other matters, which by this Act or may be provided for by the regulations.
20. (1) The authorities may make sub-regulations consistent with this Act and regulations for all or any of the following matters, namely:- Sub-regulations.
- (a) laying down, the procedure to be observed at their meetings and the number of members required to form the quorum; and
- (b) providing for all matters which by this Act and regulations are to be specified.
- (2) Every authority shall make sub-regulations providing for the giving of notice to the members of such authority of the dates of meetings and of the business to be considered in the meetings and for the keeping of a record of the proceedings of the meetings.
21. The State Government may, from time to time, provide such amounts by way of grants for meeting the capital, recurring or other expenditure of the University, as it may deem fit. Corpus of Funds.
22. The annual report of the University shall be prepared and shall be submitted to the Board for approval at its annual meeting on or before such date, as may be prescribed by regulations. Annual report.

Annual account.	23. The accounts of the income and expenditure of the University shall be submitted once every year to the State Government for such examination and audit, as the State Government may direct. The accounts when audited, shall be published in the Official Gazette of the State Government.
Acts or proceedings of authorities and bodies not invalidated by vacancies.	24. No act done, or proceedings taken under this Act by any authority or any other body of the University shall be invalid merely on any of the following grounds, namely:- <ol style="list-style-type: none"> (a) vacancy or defect in the constitution of the authority or body; (b) defect or irregularity in nomination or appointment of a person acting as a member thereof; and (c) defect or irregularity in such act or proceeding, not affecting the merits of the case.
Disputes about constitution of authorities and bodies.	25. If any question arises whether a person has been duly nominated or appointed or is entitled to be a member of any authority or body of the University, the matter shall be referred to the Chancellor, whose decision thereon shall be final.
Powers of the State Government.	26. (1) The State Government shall have the powers to make a reference to the University with regard to any matter of policy or in respect of any act done by the University in contravention with the provisions of this Act or the regulations made thereunder. <p style="margin-left: 40px;">(2) The University shall report to the State Government about the action, if any, as it proposes to take or has taken upon the reference made under sub-section (1), and shall submit an explanation to the State Government, if it fails to take action.</p> <p style="margin-left: 40px;">(3) If, the University fails to take action on such reference to the satisfaction of the State Government within a reasonable time, it may after considering explanation submitted by the University, issue such directions consistent with this Act, as the State Government may consider necessary and the University shall comply with such directions.</p> <p style="margin-left: 40px;">(4) The State Government may, at any time, arrange for an inspection or enquiry into the affairs of the University by such authority or person as it may specify, to satisfy about the proper and effective functioning of the University and also upon any matter connected with the administration and finances of the University.</p>

(5) The University may authorize any person to represent it on the inspection or enquiry referred to in sub-section (4).

(6) On receipt of the report of inspection or enquiry referred to in sub-section (4), the State Government may examine the same and give such directions, as it may consider necessary, to the University.

(7) The Vice-Chancellor shall within a period of thirty days from the date of receipt of the directions given under sub-section (6), send an intimation to the State Government about the action taken by the University in pursuance of the said directions.

(8) On the expiry of the period specified in sub-section (7), the State Government may, after considering the intimation, if any, received from the Vice-Chancellor, issue such directions to the University, as it may consider necessary and the University shall comply with such directions.

27. Every resolution passed by the University shall be communicated to the State Government within a period of thirty days from the date of passing of such resolution.

Communication of resolution to the State Government.

28. If in the opinion of the State Government, resolution of the University is not in public interest, or is not in conformity with the provisions of this Act or the regulations made thereunder, it may, by an order in writing, suspend the implementation of such resolution:

Powers of the State Government to suspend or cancel the resolution of the University.

Provided that the resolution, the implementation of which is suspended by the State Government, shall not be cancelled without giving a reasonable opportunity to the University to explain its position.

29. The State Government may issue such directions to the University, as in its opinion are necessary or expedient for carrying out the purposes of the Act or regulations made thereunder or in public interest, and the University shall be bound to comply with all such directions.

State Government to give directions.

30. If any difficulty arises with respect to the establishment of the University or in connection with the first meeting of any authority of the University or otherwise in giving effect to the provisions of this Act at the first stage, the State Government may at any time, before any authority of the University has been constituted, by order make any appointments or do anything so far as it may be consistent with the provisions of this Act, which appears to it necessary or expedient for the purpose of removing the difficulty. Every

Power of the State Government to remove difficulties.

such order shall have effect as if such appointment or action had been made or taken in the manner provided in this Act.

S.K. AGGARWAL,
Secretary to Government of Punjab,
Department of Legal and Legislative Affairs.

2265/4-2021/Pb. Govt. Press, S.A.S. Nagar

PART I
GOVERNMENT OF PUNJAB
DEPARTMENT OF LEGAL AND LEGISLATIVE AFFAIRS, PUNJAB
NOTIFICATION

The 1st April, 2021

No. 11-Leg./2021.- The following Act of the Legislature of the State of Punjab received the assent of the Governor of Punjab on the 27th day of March, 2021, is hereby published for general information:-

**THE PUNJAB MOTOR VEHICLES TAXATION (AMENDMENT)
ACT, 2021**

(Punjab Act No. 11 of 2021)

AN

ACT

further to amend the Punjab Motor Vehicles Taxation Act, 1924.

BE it enacted by the Legislature of the State of Punjab in the Seventy-second Year of the Republic of India as follows: -

- | | | | |
|--------------|-----|---|--|
| 1. | (1) | This Act may be called the Punjab Motor Vehicles Taxation (Amendment) Act, 2021. | Short title and commencement. |
| | (2) | It shall come into force on and with effect from the date of its publication in the Official Gazette. | |
| 2. | | In the Punjab Motor Vehicles Taxation Act, 1924 (hereinafter referred to as the principal Act), for section 3, the following section shall be substituted, namely:- | Substitution of section 3 of Punjab Act 4 of 1924. |
| " 3. (1) (a) | | Subject to the provisions of this Act, a tax shall be levied and collected on all motor vehicles used or kept for use in the State of Punjab, at such rates, in such a manner as may be specified by the Government, by notification, from time to time: | |
| | | Provided that where an owner of a motor car or a motor cycle in respect of which, a tax has been paid in lump sum, ceases to be the resident of the State of Punjab and takes alongwith him, such motor car or motor cycle, or if the ownership of the motor car or motor cycle is transferred to a person having residence outside the State of Punjab, then, refund of the lump sum tax so paid, shall be allowed at such rates, as may be determined by the Government, from time to time. | |
| | (b) | In case a transport vehicle is registered in a State other than the State of Punjab, such a vehicle shall become liable for paying tax, the moment it enters within the State of Punjab at such rates, as may be determined by the Government, from time to time. | |
| | (2) | At the time of issuance of new stage carriage permit of buses, one time tax per kilometer shall be leviable at such rates, as may be specified | |

by the Government, by notification, from time to time:

Provided that if a big bus holder is allowed to ply on extended route with the increased mileage, then, in that case, the amount of one time tax per kilometer referred above shall be leviable additionally for the extended route.

(3) The notifications issued under sub-sections (1) and (2) shall specify the type of motor vehicles, the periods and the manner, in which, the tax shall be levied:

Provided that the rates of tax shall not exceed the maximum limit as has been specified in the Schedule.

(4) The owner or driver of the transport vehicle shall be liable to pay tax under clause (b) of sub-section (1) at the Tax Collection Centre established under the control of an officer of the Department of Transport or any agency, firm or company, which is entrusted to collect tax on behalf of the Government through auction, subject to such terms and conditions as may be specified in the Agreement to be executed between the Government and such agency, firm or company, as the case may be."

3. In the principal Act, for the existing Schedule, the following Schedule shall be substituted, namely:-

Substitution of
Schedule of
Punjab Act 4
of 1924.

**"SCHEDULE
(See section 3)**

Serial Number	Category of Motor Vehicles	Maximum rate of tax
1.	Non-Transport Vehicles	
	New Registration	
(i)	Motor Cycle, Motor Car and Adapted Carriage	Twenty per cent of the value of the motor cycle, motor car or Adapted Carriage (in lump sum)
(ii)	Excavator, Loader, Backhoe, Compactor Roller, Road Roller, Dumper, Motor Grader, Mobile Crane, Dozer, Fork Lift Truck, Self-Loading Concrete Mixer or any other construction	

equipment vehicle, Camper Van or Trailer for private use, Vehicles or Trailers fitted with equipments like rig, generator, compressor etc., Crane Mounted Vehicle, Tow Truck, Brake-down Van, Recovery Vehicles, Tower Wagon and Tree Trimming Vehicles or any other non-transport vehicles not covered under any category-		
(a)	purchased as chassis	Fifty per cent of the cost of chassis, subject to the maximum of rupees ten lakh (in lump sum)
(b)	purchased with complete body	Forty per cent of the cost of complete body, subject to the maximum of rupees ten lakh (in lump sum)
Re-registration or Re-assignment		Rate of tax in lump sum
(i)	In case of re-registration or re-assignment of motor cycle or motor car-	
(a)	less than three years	Ninty-five per cent of the tax of new motor cycle or motor car
(b)	three years or more but less than six years	Seventy-five per cent of the tax of new motor cycle or motor car

	(c)	six years or more but less than nine years	Fifty-five per cent of the tax of new motor cycle or motor car
	(d)	nine years or more	Thirty-five per cent of the tax of new motor cycle or motor car
	(ii)	Vehicles disposed of by various Government Departments or Government Agencies on which lump sum tax have not been paid earlier	The Motor Vehicle Tax shall be arrived at by reducing the amount of tax at the rate of five per cent per financial year or part thereof upto ten years from the date of registration, but amount of lump sum tax shall not exceed rupees seventy-five thousand after the period of ten years.
2.	(i)	Transport Vehicles Contract Carriage including Tourists or All India Tourists Permit Vehicles (Motor Cab or Maxi Cab or Tourist Buses etc.)	
	(a)	Auto Rickshaws (Three Wheeler) having capacity upto 6+1 seats	Rupees ten thousand per seat per annum or twenty per cent of the value of Auto rickshaw or both
	(b)	Motor Vehicles having capacity upto 6+1 seats	Rupees ten thousand per seat per annum or twenty per cent of the value of vehicle or both
	(c)	Motor vehicles having capacity more than 6+1 seats and upto 12+1 seats	Rupees fifteen thousand per seat per annum or twenty per cent of the value of vehicle or both

(d)	Motor Vehicles having capacity more than 12+1 seats	Rupees twenty thousand per seat per annum or twenty percent of the value of vehicle or both
(ii)	Private Service Vehicles	
(a)	Vehicles used for trade and business	Rupees four lakh fifty thousand per annum or twenty per cent of the value of vehicle or both
(b)	Vehicles used by Educational Institutions-	
I.	for school vehicles	Rupees three lakh per annum or twenty per cent of the value of vehicle or both
II.	for college vehicles and other institutional vehicles	Rupees four lakh per annum or twenty per cent of the value of vehicle or both
(iii)	Stage Carriage	Maximum rate of tax per kilometer, each Vehicle, for a day
(1)	Big Buses-	
(a)	Ordinary Buses	Rupees twenty or twenty per cent of the value of the vehicles at the time of new registration or both
(b)	Ordinary HVAC Buses (3x2 seats)	Rupees twenty or twenty per cent of the value of the vehicles at time of new registration or both
(c)	Integral Coach (2x2 seats) Buses	Rupees twenty or twenty per cent of the value of the vehicles at time of new registration or both

(d)	Super Integral Coach Buses	Rupees twenty or twenty per cent of the value of the vehicles at time of new registration or both
(2)	Buses having capacity upto thirty-five seats	Rupees one lakh fifty thousand per annum or twenty per cent of the value of vehicles at time of new registration or both
(iv)	Goods Carriage Vehicles	Rupees one lakh fifty thousand per annum or twenty per cent value of the vehicle at time of new registration or both in all catagories of goods carriage vehicles
(v)	Tractor with trolley used for commercial purpose within the radius of twenty-five kilometer from the place of permit holder's residence	Rupees twenty thousand per annum or twenty per cent of the value of the vehicle at time of new registration or both
(vi)	Omni Bus registered in the State of Punjab	Rupees ten thousand per seat per annum or twenty per cent of the value of the vehicle at the time of new registration or both
(vii)	Other Transport Vehicles like Dumper, Loader, Camper Van or Trolleys, Tippers, Cash van, Mobile Canteen, Haul Pack, Mobile Workshops, Ambulance, Animal Ambulance, Fire Tenders,	

<p>Snored Ladders, Auxiliary Trolleys and Fire Fighting Vehicles, Hearses, Mail Carrier, Mobile Clinic or X- ray vans or Library Vans-</p>		
(a)	purchased as Chassis	Fifty per cent of the cost of chassis, subject to the maximum of rupees ten lakh (in lump sum) or both
(b)	purchased with complete body	Forty per cent of the cost of complete body, subject to the maximum of rupees ten lakh (in lump sum) or both
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3.	Green or Environment or Any other tax	
(i)	Non-Transport Vehicles	Rupees fifty thousand at the time of renewal of Registration Certificate
(ii)	Transport Vehicles	Rupees fifty thousand after eight years per annum
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4.	(i) Electric Vehicle (Passenger)	
(a)	E-rickshaw having capacity upto 6+1 seats	Rupees ten thousand per seat per annum or twenty per cent of the value of E-rickshaw or both
(b)	Motor vehicle having capacity upto 6+1 seats	Rupees twenty thousand per seat per annum or twenty per cent of the value of vehicle or both

(c)	Motor vehicle having capacity more than 6+1 seats and upto 12+1 seats	Rupees forty thousand per seat per annum or twenty per cent of the value of vehicle or both
(d)	Motor vehicle having capacity more than 12+1 seats	Rupees fifty thousand per seat per annum or twenty per cent of the value of vehicle or both
(ii)	E-Cart	Rupees one lakh fifty thousand per annum or twenty per cent of the value of vehicle or both
(iii)	Electric Vehicle (Goods)	Rupees one lakh fifty thousand per annum or twenty per cent of the value of vehicle or both
5.		
Tax on Vehicles under the possession of Manufacturer or Dealer-		
(a)	Two Wheeler or Vehicle	Rupees ten thousand per annum for every one hundred vehicles or part thereof
(b)	Three or Four Wheeler or Vehicle	Rupees twenty thousand per annum for every fifty vehicles or part thereof
6.		
Vehicles plied on contract carriage permits or on All India Tourist Permits or on any other similar permits registered in any State other than the State of Punjab, when entering in Punjab-		Maximum rate of Tax per day (twenty-four hours)

	(i) Motor Cabs	Rupees three thousand
	(ii) Maxi Cabs	Rupees six thousand
	(iii) Omni Buses	Rupees six thousand
	(iv) Ordinary Buses	Rupees twenty thousand
	(v) Deluxe Buses	Rupees thirty thousand
	(vi) Air-conditioned Buses	Rupees forty thousand
7.	Vehicles of other States, when entering and plying in Punjab-	
	(i) Stage Carriage	Rupees twenty per kilometer per day or twenty per cent of the value of vehicle or both
	(ii) Private Service Vehicles (Trade and Business Vehicles)	Rupees four lakh fifty thousand per annum or twenty per cent of the value of vehicle or both
	(iii) Educational Institution Vehicles	Rupees four lakh per annum or twenty per cent of the value of vehicle or both
	(iv) Goods Carriage other than those holding national permit of other States.	Rupees one lakh fifty thousand per annum or twenty per cent of the value of vehicle or both
	(v) Special purpose vehicles (Transport)	Rupees ten thousand per day or twenty per cent of the value of vehicle or both
8.	Tax on temporarily registered vehicles or chassis passing through the Punjab-	Rate of Tax per vehicle
	(i) Motor Car, Tractor, Omni Bus having capacity upto	Rupees two thousand

	ten seats, but excluding the driver of three wheeled vehicles	
(ii)	Any other motor vehicles, not covered under item (i) above	Rupees fifteen thousand
(iii)	Chassis of Motor Vehicles	Rupees ten thousand
9.	At the time of issuance of new stage carriage permit-	Maximum rate of one time tax per Kilometer
(i)	Big Buses	Rupees two thousand five hundred
(ii)	Buses having capacity upto thirty-five seats	Rupees two hundred fifty
(iii)	In case of increase in mileage (Big Buses)	Rupees two thousand five hundred
10.	In the case of transfer of ownership of the following kinds of motor vehicles which are already registered in Punjab-	
(i)	All types of Motor Vehicles	Rupees seventy-five thousand per vehicle
(ii)	All types of tractors using public roads other than agricultural tractors	Rupees seventy-five thousand per vehicle
		No additional tax shall be levied in case of transfer of ownership owing to death or transfer to insurance company for settlement of claim.

11.	Transport vehicle plied without a valid permit or in an unauthorized manner	Rupees two lakh for every act of violation
12.	Any other vehicle not covered above-	
(i)	Transport Vehicle	Rupees four lakh fifty thousand per annum or twenty per cent of the value of the Vehicle
(ii)	Personalized Vehicle	Rupees fifteen lakh on one time basis."

S.K. AGGARWAL,
Secretary to Government of Punjab,
Department of Legal and Legislative Affairs.